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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/795,830 Confirmation No. 2799
First Named Inventor : James E. Grimm
Filed : 03/08/2004
Title : Navigated Orthopaedic Guide and Method
TC/A.U. : 3731
Examiner : A. Reimers
Atty. Docket No. : 0104-0060 (ZM0618)
Customer No. : 43231

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

ELECTION AND PRELIMINARY AMENDMENT

Sir:

In response to the Restriction Requirement of 8/25/2006, Applicant elects invention II, Claims 15-26. Applicant further elects the species of FIGS. 5 and 6 for the orthopaedic guide and the species of FIG. 7 for the surgical component.

In a telephone interview with Examiner on August 29, 2006, Applicant proposed amending claims 2-14 to depend from claim 15. Examiner agreed that with claims 2-14 depending from claim 15 to further specify features of the orthopaedic guide, claims 2-14 are now part of Invention II and claims 2-26 will be prosecuted together. It is noted that claims 2-4, 15-19, 21, and 25 are generic to all of the species identified by Examiner.

Amendments to the Claims to make claims 2-14 depend from claim 15 are reflected in the listing of claims which begins on page 3 of this paper.

The following table indicates the claims reading on each species identified by Examiner:

Species	Claims readable thereon
a) figure 1	1, 2, 3, 4, 5, 15, 16, 17, 18, 19, 21, 25
b) figures 5-6	1, 2, 3, 4, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 25
c) figures 8-10	1, 2, 3, 4, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 21, 24, 25, 26
d) figure 3	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 25
e) figure 7	1, 2, 3, 4, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 23, 25